Memorandum

To: *Rick Sun, Los Angeles County Department of Public Works*

From: *Matt Petty, CDM Smith*

Date: *January 12, 2015*

Subject: *Daily Biological Monitoring for the Oxford Retention Basin Multiuse Enhancement Project*

Introduction

This memorandum summarizes the findings of biological monitoring on January 12, 2015. Monitoring is being conducted on a daily basis through completion of tree removal activities for the Oxford Retention Basin Multiuse Enhancement project. This monitoring is being conducted in compliance with the Streambed Alteration Agreement and Amendment issued by the California Department of Fish and Wildlife for the project.

Methods

Biological monitoring was conducted by Matt Petty, CDM Smith biologist on January 12, 2015, beginning at 7:00 am and ending at 4:30 p.m. During the monitoring, the biologist observed tree cutting and removal activities as they were conducted in the project area. Daily activities consisted of cutting several trees and manually hauling branches and cut material. While several pine and palm trees were felled, the majority of the day's work consisted of cutting stumps of previously-removed trees level to the ground

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:00 am. Biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey.

7:15 am. Biologist begins initial survey from outside of the site. Four rock pigeons and six gulls were observed flying over the west public parking lot. A group of approximately 33 double-crested cormorants were observed in the west basin. Cormorants were constantly flying back and forth from the site to the marina. One great blue heron and one great egret were perched on the tidal gate structure. Gadwall, American coot, and lesser scaup were present in low numbers in the West Basin.

7:40 am. Initial survey continues along Admiralty Way. American crows common, with a group of three fighting over trash. A group of nine lesser scaup are foraging along the southern shoreline. Gulls continue to fly over frequently to and from the marina. A group of seven American wigeon are resting in the middle of the Basin. A total of four egrets, one great egret and three snowy egrets, are observed.

8:00 am. Met with contractor, Emerson, to discuss schedule for the day and observe the delivery of additional erosion and sediment control fiber rolls. It rained the previous weekend and there was concern that additional E&S measures would be required. Observations would indicate additional measures are not needed as no evidence of recent erosion (e.g., drainages on slopes, sediment deposition, and elevated turbidity) was present. Fiber rolls were staged at the southwest gate, at the large stormwater intake channel along Washington Blvd and at the pump station. An adult male Anna's hummingbird is observed showing high site fidelity on the west shoreline along the chain-link fence. No courtship behaviors or nests were observed.

8:10 am. Go over contractor goals, which are to remove as many of the remaining designated trees as possible, cut existing stumps as flush to the ground as possible, and start grinding stumps. A forklift is used to move the fiber rolls to staging areas. At the southwest gate, a group of cormorants flies off to the southeast and lands away from the activity. A great egret perched on the tidal gate structure is not affected even though the forklift comes within 20 feet. Ducks in the water slowly swim away from the activity but no rapid flee response is observed.

8:30 am. Under the supervision of Tiffany Lin (CDM Smith) and Rick Sun, Contractors begin to cut stumps using chainsaws along the eastern shoreline. Mr. Petty leaves Emerson on the western shoreline and makes his way along the south Basin shoreline to the active cutting. A large, mixed flock of lesser scaup, American coot, and gadwall numbering over 40 individuals are witnessed just west of the two large remaining eucalyptus trees. 10 mallards are observed on the eastern shoreline, in close proximity to the stump cutting. No behavioral response from the mallards was observed.

8:40 am. Meeting with Rick Sun and Tiffany Lin to go over safety protocols and the plan for the day. They indicate that they handled the safety and biological monitoring pre-construction meeting and instructed crew to wear proper personal protective equipment (PPE). Mr. Petty introduces himself to the crew and gives brief instructions on when to stop work when wildlife is near. Mr. Sun and Mr. Petty walk the southern shoreline of the Basin so that Mr. Petty can thoroughly examine the pine tree where extensive hummingbird activity was observed the week before. Ms. Lin oversees the active stump cutting.

9:15 am. Mr. Petty surveys the pine tree with previous hummingbird activity. He goes limb by limb, beginning at the truck and working out to the needle-tip of each. He looks for adult hummingbirds and the 1-1.5" nests, which tend to be located on horizontal limbs 6-20 feet high. No hummingbirds or hummingbird nests are observed. Mr. Petty indicates that he wants to come back later in the day

to make sure the lack of observations are not due to morning inactivity. The contractor finishes placing fiber rolls at the intake channel along Washington Blvd. Placement causes two double-crested cormorants to take flight and land along the southern shoreline. A mixed group of 20 lesser scaup and American wigeon slowly move away from the intake to the center of the lagoon. Two bushtits are observed in a pine on the southern shore.

9:40 am. Crews are cutting stumps flush to the ground along the eastern shoreline, beginning at the pump station and moving west parallel to the bike path. Manual removal of previously-cut limbs is occurring along the eastern intake channel opposite the pump station. Limbs are being carried to a staging area near the small stormwater inlet in the southeastern-most section of the site. A male Anna's hummingbird is observed in one of the two eucalyptus trees serving as monarch butterfly roosts. The first monarch butterfly of the day is seen outside the fence along the bike path. It flies high, tens of feet above the top of the fence. Waterfowl does not come near the stump cutting and largely stay outside of the floating sediment boom.

9:55 am. Three monarchs are observed flying high in the trees along the bike path. A male Anna's hummingbird is observed flying back and forth over the fence. No courtship displays are witnessed.

10:10 am. Stump cutting and manual limb removal continues. No standing trees have been cut to this point. Songbirds begin to be observed with regularity along the eastern shoreline. Black phoebes, dark-eyed juncos, and yellow-rumped warblers are common. Typical behavior is flying into the project site from the bike path, circling the active cutting, landing on nearby stumps and flying off-site. Cutting crews alerted to the presence of songbirds nearby and are instructed to cut stumps slowly and maintain vigilance.

10:20 am. Surveyed the last two large eucalyptus trees located along Admiralty Way. No bird nests or bird activity was observed, except for a yellow-rumped warbler temporarily perching on an outer limb. Red-tailed hawk observed soaring far to the east of the site being harassed by two American crows – notable because it is the first raptor observed. Gadwall and mallard forage close to active stump cutting (approx. 20 feet away) and display no behavioral response to activity. A monarch lands on the ground 30-feet from active cutting. Crews are alerted to its presence. It remains for 10 minutes, sunning its wings, before taking off and flying eastward off-site.

10:35 am. Protesters call attention to an inactive bird nest that was removed the week prior from a eucalyptus tree along Admiralty Way. Mr. Sun asks that Mr. Petty take a look at the nest. Mr. Petty confirms the nest is inactive due to an absence of new nest-building material or fresh feathers. From this vantage on the opposite bank, it becomes apparent that most waterfowl keep a distance of approximately 50 feet from active cutting. If cutting comes closer, they move slowly away. When cutting ends, they move back in.

11:15 pm. Tree cutting crew takes a lunch break. Mr. Petty uses this time to go over some wildlife protection measures and to conduct a monarch survey of the east side of the site. A total of 13 monarchs were observed; however, only two were observed within the site (one flying low along the fence behind the pump station and another in the eucalyptus roost trees). The others stick to the vegetation off-site along the bike path. A male Anna's hummingbird is observed conducting a possibly courtship flight along the eastern fence. He climbs and dives, but does not make the characteristic squeak at the bottom of the dive. No female hummingbird or nest is observed nearby and the male only displays this behavior once before perching on the fence.

11:35 pm. Crew continues stump cutting towards the northeastern corner of the site. Manual limb removal continues in the southeastern corner of the site. Another monarch lands on the ground approximately 100 feet from active stump cutting, but flies off before the cutters come close. The waterfowl count in the eastern basin at this point is 64 birds. The majority are lesser scaup and American widgeon with mallard, gadwall, and American coot also present. Most are sleeping or resting in the middle of the lagoon and appear disinterested in the active cutting.

12:10 pm. A cut stump rolls into the water and Mr. Petty assists in pulling it out. While retrieving, he explains safety measures involved with shoreline work and preventative measures to avoid disturbing aquatic areas in the future.

12:20 pm. Yellow-rumped warblers and a male Allen's hummingbird show strong fidelity to a small palm tree along the north fence. Mr. Petty thoroughly investigates the palm and determines that no bird nests are present. Mourning doves and house finches are also observed nearby.

12:40 pm. Mr. Petty asks Ms. Lin to watch stump cutting while he walks the entire basin to document wildlife and potential sedimentation issues resulting from recent rains. No excessive sediment inputs were observed. Some sediment accumulation behind the floating boom, but nothing out of the ordinary following a rain event. It appears that the deployed fiber rolls are effective, and in areas without fiber rolls, the slopes are not washing out. Water quality is still relatively clear. A great egret and snowy egret are observed near the large northern intake channel. Canid droppings are also located nearby. They appear to originate from a feral dog. As the day progresses, the composition of the mixed waterfowl flocks transitions from lesser scaup-dominated to American widgeon-dominated. White-crowned sparrows observed along the western fence line. Townsend's warblers, yellow-rumped warblers, and orange-crowned warblers observed in pines along the southern shore. Mr. Petty again surveys the pine tree with documented hummingbird activity and finds nothing.

1:00 pm. Mr. Petty surveys the last two large eucalyptus trees along Admiralty Way in preparation for removal. No birds or bird nests are observed in the two trees. A protestor makes it through the fence and proceeds to hug the tree, preventing its removal. The decision is made to survey two pines on the south shore to prepare for their removal. County staff stopped work, placing cones on the sidewalk and telling members of the public to move away. The police were called to assist in

keeping the public away from the unsafe area. The police arrived and cleared the sidewalk so that no member of the public was in harm's way. County staff and contractors are all wearing hard hats and other protective PPE while in the vicinity of the tree cutting activities.

1:15 pm. The cutting begins of the middle pine tree on the south shore. County staff and contractors are all wearing hard hats and other protective PPE while in the vicinity of the tree cutting activities. The biologist continued to monitor the tree cutting activities, ensuring no wildlife were present in the vicinity. Two fighting male coots are the closest birds to the cutting activity, but are not disturbed by the action. A few gulls fly over the work at a significant height.

1:40 pm. The middle pine tree comes down. Crew continues with cutting the larger limbs and manually removing the debris. Mr. Petty remains to ensure no wildlife is disturbed or harmed because yellow-rumped warblers were in the vicinity.

2:00 pm. Mr. Sun asks Mr. Petty to survey the pine with previously-documented hummingbird activity one last time. Mr. Petty searches the tree thoroughly, with the help of Ms. Lin and Mr. Sun. For the third time today, no hummingbirds were observed and no nests were found. The decision was made to remove the tree. Mr. Petty instructs the cutter to remove one limb at a time so that he can carefully survey the remaining limbs for any nests. No nests are found.

2:20 pm. The pine tree is removed except for the stump. During the activity, a red-tailed hawk and several American crows fly over at significant height. During the manual removal of the limbs, two yellow-rumped warblers fly into the pine boughs on the ground. Mr. Petty stops the work and slowly walks towards the brush pile. The warblers leave the pile and fly to a nearby pine to the east. Work resumes after Mr. Petty confirms there are no birds remaining in the brush pile.

2:45 pm. Tree cutting crew shifts gears and returns to cutting down stumps in the northeastern corner of the site. This continues until 3:30 pm.

3:10 pm. One cutting crew prepares to remove two palms on the north side of the site along Washington Blvd. The palms are located west of the large intake channel on one of the "thumbs" protruding into the Basin. Mr. Petty thoroughly surveys both palm trees and confirms that no nests or wildlife are present. A mixed flock of 25 ducks is in the water nearby, but they slowly swim into the middle of the lagoon as the crew approaches.

3:20 pm. The first palm is felled. The thud of the tree hitting the ground causes a group of 10 ducks (mallards and gadwalls) to flee. The birds fly approximately 50 feet and land farther out in the lagoon. An eared grebe is unaffected by activity and continues to forage approximately 75 feet away from the tree cutting activity.

3:30 pm. The second palm is felled. The thud of the tree hitting the ground causes a snowy egret that was approximately 200 feet away to fly to the south shoreline of the Basin. An American widgeon and an eared grebe nearby are unaffected.

3:35 pm. Tree cutting crew to remove a palm tree with a double trunk along the north shoreline. Mr. Petty thoroughly surveys the palm and confirms no nests or wildlife are present. The felling of the first trunk causes a group of six gadwall to flee 20 feet farther into the center of the lagoon. A snowy egret approximately 150 feet away is unaffected. A total of 56 ducks were observed in the West Basin (22 lesser scaup, 17 American widgeon, 7 gadwall). A willet is observed probing the shallows approximately 75 feet to the west of the tree. It is unaffected by the activity. The second trunk falls at 3:55 pm and does not result in any reaction from wildlife in the Basin.

A second crew begins cutting stumps flush to the ground on the south shoreline. Mr. Petty frequently observes the activity from the opposite bank.

4:30 pm. From Work was completed for the day.

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1. As described previously, monarch butterflies were also observed. No other wildlife species were observed, although droppings of what is likely a feral dog were found.

No osprey were observed at the site.

No active bird nests were observed inside the project boundary.

Several species not previously documented, including willet, double-crested cormorant, and red-tailed hawk were observed.

Table 1 provides a list of bird species observed during biological monitoring on January 12, 2015.

Table 1. Bird Species Observed during Biological Monitoring on January 12, 2015

Common Name	Scientific Name	Comments
Gadwall	*Anas strepera*	10-15 individuals foraging in Basin
American Wigeon	*Anas americana*	40-50 foraging throughout Basin
Mallard	*Anas platyrhynchos*	10-15 individuals foraging in Basin
Lesser Scaup	*Aythya affinis*	50-60 foraging throughout Basin
Great Blue Heron	*Ardea herodias*	1 individual foraging in Basin
Snowy Egret	*Egretta thula*	6 individuals foraging throughout Basin
American Coot	*Fulica americana*	20-25 foraging throughout Basin
Gull	*Larus* sp.	Several flyovers
Anna's Hummingbird	*Calypte anna*	Several observed around Basin

Black Phoebe	*Sayornis nigricans*	10-15 individuals foraging around Basin
American Crow	*Corvus brachyrhynchos*	Several observed in vegetation and flying over Basin.
Bushtit	*Psaltriparus minimus*	2 observed foraging on south side of Basin.
White-crowned sparrow	*Zonotrichia leucophrys*	2 individuals observed in vegetation in fencerow at western end of Basin
Yellow-rumped Warbler	*Setophaga coronata*	Several observed in eastern and southern portion of Basin
Dark-eyed Junco	*Junco hyemalis*	20-25 observed foraging in eastern portion of Basin.
House Finch	*Haemorhous mexicanus*	2 observed in vegetation in northern portion of Basin
Rock Pigeon	*Columba livia*	Several observed flying over Basin, particularly in western portion.
Allen's Hummingbird	*Selasphorus sasin*	1 individual near palm tree in the northern portion of Basin
Orange-crowned Warbler	*Oreothlypis celata*	2 individuals foraging in southern and eastern portions of Basin
Mourning Dove	*Zenaida macroura*	Western portion of the basin
Townsend's Warbler	*Setophaga townsendi*	Southern portion of the basin
Double-crested Cormorant		30-40 observed in northern and western portions of the basin, particularly in the early morning
Great Egret	*Ardea alba*	2 individuals foraging in Basin
Eared Grebe	*Podiceps nigricollis*	2 individuals foraging in northern portion of basin
Red-tailed Hawk		2 individuals (1 observed to the east of the Basin and another flying high above the center of the basin)
Willet		1 individual observed in the northern portion of the basin

Conclusions

Biological monitoring was conducted on January 12, 2015 during tree removal (chipping) activities at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. No active nests were observed. More species and a greater number of individuals were observed when compared to previous work days.

2. Several monarchs were observed at the site. The number of monarchs observed on January 12 appeared to be higher than on previous days, perhaps due to abundant sunshine following periods of rain. Monarchs continue to be primarily utilizing the Eucalyptus trees near the eastern end of the site, along the bike path. There was no "take" of monarchs during tree cutting activities conducted at the site.

3. As noted previously, monarchs were again observed flying around and landing, often moving from tree to tree both inside and outside the fence. This indicates that the Eucalyptus trees outside the fence provide directly adjacent habitat for monarchs to that afforded by the 2 trees inside the fence.

4. Monarchs were not observed to be roosting in the large trees (Eucalyptus, ficus, and pine) on the south side of the Basin along Admiralty Way.

5. For the most part, tree cutting activities are not resulting in flee responses from nearby wildlife. Wildlife tend to slowly move away from an area when crews approach. They return to the area once the crews move on.

6. Despite recent rains, water quality and clarity in the lagoon was relatively high. While the implementation of E&S controls like fiber rolls play a role, it appears that the slopes of the Basin are stable and do not erode easily.

7. Small songbirds, especially black phoebe, dark-eyed junco, and yellow-rumped warbler frequently fly into areas with active cutting operations and they perch nearby or immediately fly out. This requires vigilance on the part of the biologist, cutting crews, and other monitors. Particular attention should be paid to brush piles of larger limbs. Crews tend to relax once the tree is down; however, songbirds on multiple occasions would fly into brush piles on the ground that were being actively cut or hauled. In these instances, work would stop immediately.

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Introduction

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Methods

Biological monitoring was conducted by Matt Petty, CDM Smith biologist on January 13, 2015, beginning at 7:30 am and ending at 4:30 p.m. During the monitoring, the biologist observed tree cutting and removal activities as they were conducted in the project area. Daily activities consisted of cutting several trees and manually hauling branches and cut material. While several palm trees were felled, the majority of the day's work consisted of the hauling of previously-cut debris from the south side of the Basin.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:30 am. Biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey.

7:45 am. Biologist begins initial survey from outside of the site. A mixed flock of 55-60 ducks were observed throughout the Basin. The flock consisted of mostly lesser scaup and American wigeon with small numbers of mallard, gadwall, and American coot also present. A small group of four double-crested cormorants were observed, which was much fewer than the large flock of 30+ cormorants seen the day prior. Five American crows were observed on utility poles in the northern portion of the Basin. Gull flyovers were frequent.

8:00 am. Pre-construction meeting with the field crew. Mr. Petty goes over wildlife protection measures and safety measures. Each of the field crew signs a sheet stating they have attended the meeting. The work plan for the day is discussed. Work will focus on removing standing palms on the west side of the Basin and transporting previously-cut material to staging areas for future chipping.

8:10 am. Tree cutting crew begins work. A Bobcat is moved from the north shoreline to the southeast corner to assist with moving large previously-cut limbs. Manual debris removal begins on the southeastern shoreline near the two remaining large Eucalyptus trees. Chainsaw work is limited to cutting down large previously-cut limbs into smaller, manageable pieces. An Allen's hummingbird flies in to investigate but immediately returns to the eastern shore of the Basin. Large numbers of yellow-rumped warblers call from trees on the other side of Admiralty Way. Several black phoebes call from trees along the bike path.

8:30 am. While songbird calls are frequent, most birds are still roosting. A snowy egret and four double-crested cormorants are resting on the concrete intake channel structure. A flock of 16 American wigeon forage on the new plant growth on the east bank. The new herbaceous growth on cleared banks appear to be of benefit to several species of waterfowl. Two pairs of gadwall swim slowly to within 50 feet of the manual debris removal and continue foraging. When surveying the Basin the last two days a species composition pattern becomes evident: mallard and gadwall are most often seen in the east Basin, lesser scaup and American coot in the west Basin, and American wigeon are observed throughout.

8:50 am. Mr. Petty surveys the standing palm trees on the west shore to determine if any should not be removed as planned due to the presence of wildlife or nests. A male Anna's hummingbird shows strong site fidelity to the grape vines on the western fence; however, a thorough investigation turns up no nest. Of the 10 remaining palms on the west shore, no wildlife or nests were documented in any of them except for two yellow-rumped warbler in the bushy palm located in the northwest corner of the site. While no nests were found, Mr. Petty requests this palm be taken down last so that he can observe throughout the day. Two previously undocumented species, cedar waxwing and European starling, are observed in flocks of 8-10 individuals in the large palms outside of the site that border Washington Blvd.

9:15 am. Sergio, the primary tree cutter, and his crew of two arrive. Mr. Petty goes over the information presented at the initial pre-construction meeting, but does not have them sign the sheet because it is in a clipboard on the other side of the site. An inactive nest is found in the large pine tree next to the tidal gates. This pine tree will not be removed. Other species observed in the southwest corner of the site include mourning dove, Townsend's warbler, rock pigeon, gulls, Anna's hummingbird, house finch, and ruby-crowned kinglet.

9:50 am. Crews begin cutting the southernmost of the tall, thin palms along the western fence. Mr. Petty reminds the crew of suggested personal protective equipment (PPE), but the primary cutter

declines because a hard hat limits his mobility and visibility. As the cutting starts, one American wigeon flies off, while the rest of the flock slowly swims away from the activity. Two mourning doves on a nearby power line are not affected. At 9:55 am the top of the palm falls and a 20-foot trunk section remains standing. Two house finches fly into an adjacent palm 10 feet away and work is stopped for 3 minutes until the finches fly a safe distance away.

9:55 am. Three monarchs are observed flying high in the trees along the bike path. A male Anna's hummingbird is observed flying back and forth over the fence. No courtship displays are witnessed.

10:00 am. Palm cutting stops because the inner, old chain-link fence is in the way. Crews cut a portion of the fence by hand using a hacksaw so that the palms can be felled safely.

10:20 am. Surveyed the last two large eucalyptus trees located along Admiralty Way. No bird nests or bird activity was observed, except for a yellow-rumped warbler temporarily perching on an outer limb. Red-tailed hawk observed soaring far to the east of the site being harassed by two American crows – notable because it is the first raptor observed. Gadwall and mallard forage close to active stump cutting (approx. 20 feet away) and display no behavioral response to activity. A monarch lands on the ground 30-feet from active cutting. Crews are alerted to its presence. It remains for 10 minutes, sunning its wings, before taking off and flying eastward off-site.

10:35 am. Tree cutting crew begins work to bring down the remaining four, tall and thin palms along the western fence. The only wildlife in the area are a pair of mallards in the water 200 feet east of the activity and one black phoebe perched on a stump 150 feet to the northwest. No noticeable change in behavior is observed.

10:50 am. Mr. Petty notices a squirrel in the top of one of the palms adjacent to the one being cut down. All work is stopped as the squirrel scampers down the palm and into the surrounding brush. The squirrel eventually makes its way to the large pine near the tidal gate and work is allowed to resume. The first monarch seen in the western portion of the Basin is observed flying along the northern fence and is not affected by the on-going work. Cutting begins on the third

11:00 am. Tree cutting crew takes down the third palm of the morning. Moments after the tree is felled, an osprey flies in from the southwest with a fish in its talons. It perches in the large pine tree next to the tidal gates and feeds. A male Anna's hummingbird, which shows strong fidelity to the large pine, harasses the osprey relentlessly. At 11:07 am, the osprey takes its fish and flies northeast across the basin, landing atop a utility pole on the northern shoreline of the Basin. Mr. Petty instructs that all work will stop, except for the carrying of previously-cut material, so as not to disturb the osprey with excessively loud noise.

11:20 am. Tree cutting crews take lunch because osprey is still on-site feeding atop the utility pole. Mr. Petty monitors the osprey and also searches for a hummingbird nest in the large pine tree next to the tidal gates. No nest is found.

12:00 pm. Osprey leaves its perch atop the utility pole and circles the Basin several times. It makes six shallow dives to either attempt to catch fish or to clean its talons and leg feathers. It perches for a brief moment on a partially-submerged stick along the northern shoreline before flying over the tidal gate and toward the marina. The osprey is not seen for the remainder of the day.

12:05 pm. Mr. Petty informs the cutting crews that they can resume work now that the osprey has left the area. He surveys the standing pines that remain along the western shore once more and observes no wildlife or nests. The crew begins manually removing some of the grape vines along the western fence to get access to some of the palm trees.

12:15 pm. Crews remove a 25-foot tall palm. A mixed flock of approximately 45 American widgeon, mallard, lesser scaup, and gadwall remain roughly 200 feet away and show little reaction to tree cutting activities. Once the tree is down, the flock swims to within 30 feet of brush clearing activities.

12:45 pm. Crew begins cutting the tallest remaining palm tree next to the metal power pole. Two gadwall and two American widgeon slowly swim away as the crew approaches. A ruby-crowned kinglet hops around the underbrush, but flies to the southern shore prior to chainsaw activity.

1:00 pm. The tallest remaining palm tree comes down in the West parking lot near the Hilton Garden Inn. It was felled there on purpose because of the tree's lean. No wildlife enters the activity area as crews cut the palm into smaller sections and remove the cut material.

Up to this point, manual removal of previously-cut material has been occurring along the southern shoreline. Mr. Petty stays with the active cutting on the west shore but continuously monitors the manual removal activity through binoculars. During breaks in the tree cutting, Mr. Petty walks over to the south shoreline and observes the removal activity. Similar manual removal activities and biological monitoring will occur through the end of the day.

1:30 pm. During a break in tree cutting activity, Mr. Petty conducts a monarch survey throughout the Basin. A total of 11 monarch butterflies are observed. Two individuals were observed flying along the southern shoreline. Two individuals were observed flying around the two eucalyptus trees still standing near the bike path. Five individuals were observed flying along the bike path. Two individuals were seen flying along the northern fence parallel to Washington Blvd.

1:50 pm. Work consists of raking up palm debris that fell outside of the fence into the west parking lot. A red-tailed hawk is observed flying overhead and is harassed by four American crows before flying off to the south.

2:00 pm. Tree cutting crew begins to manually remove low-hanging fronds of the two short and thick palms that remain on the western shoreline. Mr. Petty surveys both trees and no wildlife or nests are observed. Just before complete removal with chainsaw, a flock of 8 rock pigeon fly in low. Work is stopped temporarily as they fly off-site to the north. At the same time, a single monarch butterfly flies in along the northern fence, but continues over the western fence and into the west parking lot.

3:10 pm. Both short, thick palms have been taken down. Only two palm trees remain on the west side of the Basin.

3:20 pm. Primary tree cutting crew removes portions of the previously-cut tall palm from the west parking lot. Crews along the southern shoreline continue to manually remove previously-cut material. When wildlife does come into the vicinity of this non-mechanized work, behavior is unaffected. Songbirds will often fly in, perch on stumps approximately 30 feet from the activity, and then fly off. Waterfowl continue to swim to within 50 feet of the active shoreline and exhibit unaltered behaviors.

3:40 pm. Tree cutting crew removes the 15-foot trunk of the first palm cut today. No wildlife is observed in the vicinity of this activity through completion of the task.

4:00 pm. Tree cutting crew removes the second-to-last palm on the west side of the Basin. The male Anna's hummingbird that shows high fidelity to the large pine next to the tidal gates and the grape vines along the western fence perches approximately 50 feet away from the palm on a vine. Halfway through the cutting of the palm, the hummingbird flies into the canopy of the tree. Mr. Petty stops work immediately. The hummingbird hovers around the crown of the tree for a few moments before flying back to his perch on the grape vines. After another two minutes, he flies back to the large pine next to the tidal gates (likely the same individual that harassed the osprey earlier). The palm was previously surveyed thoroughly and no nests were found. In addition, palm trees lack the suitable horizontal limbs that Anna's hummingbirds often use for nesting sites. The foreman relays that the palm is more than halfway cut through and is dangerous to leave standing. He believes it will fall at any moment and could land in the west parking lot. For these reasons, the decision was made to continue cutting the tree. As Mr. Petty watches the hummingbird from afar, the tree cutting crew brings the palm down.

The remaining palm is a 10-foot bushy individual in the northwest corner where two yellow-rumped warblers were observed earlier in the day. Mr. Petty thoroughly investigates the palm and finds no warblers or nests.

4:20 pm. Work completed for the day.

4:30 pm. Field crew and Biologist leave the site.

Note: Additional fiber wattles were placed around the southeast corner of the site to prevent any runoff from the gravel access road and the large debris pile from entering the Basin.

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1. As described previously, monarch butterflies and an eastern fox squirrel were also observed. No other wildlife species were observed.

A single osprey was observed at the site. It flew in from the southwest, likely the nearby marina, with a fish in its talons. It perched with the fish on a low limb of the large pine tree next to the tidal gates. A male Anna's hummingbird, which shows fidelity to the large pine tree, continuously harassed the osprey until it took off with the fish. The osprey flew across the Basin to the northeast and landed atop a utility pole on the northern shoreline of the Basin. It continued to feed on the fish it caught for approximately 45 minutes. Then, the osprey took flight and circled the central Basin a few times. During this flight, it dropped its talons into the water on several occasions in an attempt to catch fish or to clean its talons and leg feathers. It then flew over the tidal gates, over the site fence, and towards the marina. The osprey was present within the project area for a total of approximately 60 minutes. All workers were instructed by Mr. Petty to refrain from working until the osprey left the area. Many chose to take lunch, while a few workers continued to manually carry previously-cut debris to staging piles. There was no evidence that work on the site disturbed the osprey or resulted in altered behavior.

No active bird nests were observed inside the project boundary.

Table 1 provides a list of bird species observed during biological monitoring on January 13, 2015.

Table 1. Bird Species Observed during Biological Monitoring on January 12, 2015

Common Name	Scientific Name	Comments
Gadwall	*Anas strepera*	10 individuals foraging in Basin
American Wigeon	*Anas americana*	25-30 individuals foraging in Basin
Mallard	*Anas platyrhynchos*	10-15 individuals foraging in Basin
Lesser Scaup	*Aythya affinis*	20-25 foraging throughout Basin
Great Egret	*Ardea alba*	1 individual resting/foraging in Basin
Snowy Egret	*Egretta thula*	3 individuals resting/foraging in Basin
American Coot	*Fulica americana*	10-15 foraging throughout Basin
Gull	*Larus* sp.	Several flyovers; 2 landed in western portion of Basin
Anna's Hummingbird	*Calypte anna*	5 individuals observed around Basin
Black Phoebe	*Sayornis nigricans*	5 individuals foraging around Basin
American Crow	*Corvus brachyrhynchos*	Several observed in vegetation and flying over Basin.
White-crowned sparrow	*Zonotrichia leucophrys*	2 individuals observed in vegetation in fencerow at western end of Basin
Yellow-rumped	*Setophaga coronata*	Several observed in eastern and southern portion

Warbler		of Basin
Dark-eyed Junco	*Junco hyemalis*	5-10 observed foraging in eastern portion of Basin.
Ruby-crowned Kinglet	*Regulus calendula*	2 observed (1 in the northwest corner and 1 along the southern shoreline of Basin)
House Finch	*Haemorhous mexicanus*	4 observed in vegetation in northern and western portions of Basin
Rock Pigeon	*Columba livia*	Several observed flying over Basin, particularly in western portion.
Allen's Hummingbird	*Selasphorus sasin*	1 individual along the fence in the northern portion of Basin
Orange-crowned Warbler	*Oreothlypis celata*	2 individuals foraging in southern portion of Basin
Mourning Dove	*Zenaida macroura*	Several observed, particularly on power lines in the northern and western portions of the basin
Townsend's Warbler	*Setophaga townsendi*	Two observed in pines in the southern portion of the basin
Double-crested Cormorant	*Phalacrocorax auritus*	5-10 observed in northern and western portions of the basin, particularly in the early morning
Cedar Waxwing	*Bombycilla cedrorum*	8 observed in a flock roosting in a tall palm outside the site along Washington Blvd
Eared Grebe	*Podiceps nigricollis*	1 individual foraging in the central portion of basin
Red-tailed Hawk	*Buteo jamaicensis*	1 individual flying high over the west portion of the basin
Osprey	*Pandion haliaetus*	1 individual in the southwest portion of the basin; flew to the north shoreline to continue feeding and circled Basin a few times before leaving the site.
European Starling	*Sturnus vulgaris*	11 observed in a flock roosting in a tall palm outside the site along Washington Blvd

Conclusions

Biological monitoring was conducted on January 13, 2015 during tree removal activities at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. No active nests were observed. Fewer species and a smaller number of individuals were observed when compared to the previous work day. It could be that birds congregate in greater numbers in the Basin following weekends, when human activity is reduced.

2. Several monarchs were observed at the site. The number of monarchs observed on January 13 appeared to be similar to the number observed on the previous day. Monarchs continue to be primarily utilizing the Eucalyptus trees near the eastern end of the site, along the bike path. However, for the first time this week, a monarch was observed alone the western fence. There was no "take" of monarchs during tree cutting activities conducted at the site.

3. As noted previously, monarchs were again observed flying around and landing, often moving from tree to tree both inside and outside the fence. This indicates that the Eucalyptus trees outside the fence provide directly adjacent habitat for monarchs to that afforded by the 2 trees inside the fence.

4. Monarchs were not observed to be roosting in the large trees (Eucalyptus, ficus, and pine) on the south side of the Basin along Admiralty Way.

5. For the most part, tree cutting activities are not resulting in flee responses from nearby wildlife. Wildlife tend to slowly move away from an area when crews approach. They return to the area once the crews move on.

6. Despite recent rains, water quality and clarity in the basin was relatively high. While the implementation of E&S controls like fiber rolls play a role, it appears that the slopes of the Basin are stable and do not erode easily.

7. Small songbirds, especially black phoebe, dark-eyed junco, and yellow-rumped warbler frequently fly into areas with active cutting operations and they perch nearby or immediately fly out. This requires vigilance on the part of the biologist, cutting crews, and other monitors. Particular attention should be paid to brush piles of larger limbs. Crews tend to relax once the tree is down; however, songbirds on multiple occasions would fly into brush piles on the ground that were being actively cut or hauled. In these instances, work would stop immediately.

8. Osprey actively use the site for perching, resting, and feeding. However, no large fish have been observed surfacing in the Basin and the osprey has spent approximately one hour on site over the last two days. Therefore, it is believed that this individual's primary hunting grounds and primary territory is located in suitable habitat elsewhere (possibly the nearby Ballona wetlands). Even with the removal of the majority of the large trees on site, the osprey has shown it will use utility poles and the remaining large pines.

Memorandum

To: *Rick Sun, Los Angeles County Department of Public Works*

From: *Matt Petty, CDM Smith*

Date: *January 14, 2015*

Subject: *Daily Biological Monitoring for the Oxford Retention Basin Multiuse Enhancement Project*

Introduction

This memorandum summarizes the findings of biological monitoring on January 14, 2015. Monitoring is being conducted on a daily basis through completion of tree removal activities for the Oxford Retention Basin Multiuse Enhancement project. This monitoring is being conducted in compliance with the Streambed Alteration Agreement and Amendment issued by the California Department of Fish and Wildlife for the project.

Methods

Biological monitoring was conducted by Matt Petty, CDM Smith biologist on January 14, 2015, beginning at 7:30 am and ending at 4:30 p.m. During the monitoring, the biologist observed tree cutting and removal activities as they were conducted in the project area. Daily activities consisted of cutting several trees and manually hauling branches and cut material. While several palm trees were felled, the majority of the day's work consisted of cutting already felled trees into manageable pieces and hauling previously-cut debris from the south and east sides of the Basin.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:20 am. Biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey.

7:30 am. Biologist begins initial survey walking around the periphery of the Basin and documenting any wildlife on-site. Three monarchs were observed roosting in trees along the bike path outside of the site. Additionally, an Anna's hummingbird, two black phoebes, two yellow-rumped warblers, and two ruby-crowned kinglets were also observed in trees along the bike path outside of the site. A flock of 27 American widgeon were observed feeding on young grasses on the east bank. Gulls and rock pigeons frequently fly over the basin. American crows are observed on utility poles in the north of the Basin. The three remaining palms in the northern and eastern portions of the Basin

were surveyed thoroughly as they are slated for removal later in the day. No wildlife and no nests were observed in the two palms on the east bank. The small palm along the northern fence contained one dark-eyed junco and two Anna's hummingbirds. While both hummingbirds were male, the palm was searched thoroughly for potential nests. No nests were found. A group of four American coot are observed feeding on the north shore. A mixed flock of 15 less scaup and 15 American coot are swimming in the central Basin. Overall, fewer birds are observed on the water in comparison to the numbers observed on the previous two days.

8:00 am. Two-member cutting crew arrives. Pre-construction meeting with the field crew. Mr. Petty goes over wildlife protection measures and safety measures. Each of the field crew signs a sheet stating they have attended the meeting. The work plan for the day is discussed. This crew will focus on removing stumps and previously-cut material on the east side of the Basin, and will transport the previously-cut material to staging areas for future chipping.

8:10 am. While standing at the pump station, a male Anna's hummingbird approximately 30 feet east of the site twice exhibits courtship behaviors. He climbs high into the air, dives, and makes a sharp squeak. While not located on-site, this is the first confirmed courtship displays. It is likely a nest is located in the off-site trees along the bike path. The cutting crew moves the Bobcat from the southeast corner of the site to the pump station (not in the vicinity of the displaying hummingbird).

8:20 am. The cutting crew moves the Bobcat to the northeast corner of the site to begin removing stumps and previously-cut material from the east bank. Using a single path along the fence, the crew moves the material to a staging pile to the north of the pump station. Fiber wattles are already in place along this path. Two monarchs are observed roosting in trees on the other side of the bike path. Mr. Petty walks slightly in front of and to the side of the Bobcat to look for monarchs. The butterflies have been documented to land on bare ground on sunny mornings to warm themselves and this effort is to prevent accidental trampling. The Bobcat driver is advised to drive slowly and to be on the lookout for cues from the Biologist. Two gadwall, two mallard, and an eared grebe are observed foraging in the eastern Basin.

9:10 am. Mr. Petty continues to actively lead the Bobcat and survey the route for monarch butterflies. None end up landing on the dirt track. Stump cutting on the east bank begins. The second cutting crew arrives and begins manually hauling previously-cut material on the south bank. Protestor informs Mr. Petty that an osprey was observed in the Basin prior to his arrival. To this point, no osprey have been observed.

9:30 am. Sergio, the primary tree cutter, arrives. Mr. Petty goes over the information presented at the initial pre-construction meeting with Sergio and the second crew of two that arrived 20 minutes earlier. Each signs the sign-in sheet and confirm they understand the wildlife protection measures.

9:50 am. A crew begins cutting the previously-cut palms and stumps on the west side of the Basin and manually hauls the material to a staging pile in the southwest corner. A great egret is perched

on the tidal gate structure approximately 20 feet from the staging pile and 100 feet from the active cutting. The egret does not flee and appears unaffected. A belted kingfisher, the first seen in three days, flies across the Basin and lands on the large intake channel in the northeast of the Basin. A mixed flock of ducks swims slowly away from the activity on the west shoreline. They maintain a buffer of approximately 50 feet from cutting activities.

10:30 am. Bobcat removal of stumps on the east bank is complete. Mr. Petty suggests fiber wattles be placed near the new staging pile and the crew complies. A black phoebe and a great egret are present along the east shoreline approximately 75 feet from active cutting. Neither are affected and the egret continues hunting in the shallows. A large quantity of snail shells are exposed on the mudflats at low tide; however, many of the shells are empty.

10:50 am. Cutting crews remove the small, bushy palm in the northwest corner of the site. Removal is conducted by hand, frond-by-frond, as requested by Mr. Petty due to the bird activity witnessed around the palm yesterday. No wildlife or nests are observed prior to and during tree removal.

11:00 am. Cutting crews begin removing the lower fronds of the standing palm along the northern fence. Fronds are removed by hand. A wildlife survey confirms the results of the earlier thorough survey and no wildlife or nests are observed. Two American wigeon and one American coot forage on one of the "thumbs" that stick out from the north shore, approximately 75 feet away from the activity. The three birds continue foraging uninterrupted. After 10 minutes, cutting of the palm fronds stops because a crew member is cut by a palm thorn and requires minor first aid. The cutting crew that arrived first takes lunch.

11:35 am. With one crew taking lunch, Mr. Petty conducts a Basin-wide monarch survey. A total of 17 monarchs are observed. Of the 17 individuals, 13 are observed outside the fence in trees along the bike path. Three monarchs are observed in or around the two eucalyptus trees inside the southeastern fence. One monarch is observed flying along the southern fence parallel to Admiralty Way. In addition to the monarchs, two cloudless sulfur butterflies are observed flying along the northern shoreline. A snowy egret catches a small fish – the first confirmed observation of a fish within the Basin. A willet is observed probing the mudflats along the northern shoreline. The second cutting crew continues cutting stumps and manually hauling material along the southern shoreline.

12:00 pm. The remaining five crew members take lunch. The first crew takes over cutting stumps and hauling material from the southern shoreline.

12:30 pm. A survey of birds on the water results in a total of approximately 70 birds. The majority are American wigeon and lesser scaup with American coot also present in large numbers. Fewer mallard and gadwall are present compared to previous days, with only three pairs of each species observed.

1:00 pm. A pre-cutting wildlife survey is conducted on the large palm standing on the east bank. This survey confirms the results of earlier surveys, and no wildlife or nests are observed. One dark-eyed junco flies toward the palm but veers away and returns to a stump nearby. An unidentified brown rodent is also spotted in the shoreline vegetation approximately 30 feet northwest of the palm. One cutting crew resumes cutting previously-felled palms on the west bank. When a large stump falls, a snowy egret approximately 100 feet from the activity takes flight and lands farther down the shoreline. A flock of American wigeon and gadwall keep a distance of approximately 75 feet, but continue to exhibit normal foraging behavior.

1:30 pm. A cutting crew begins cutting previously-felled palms on the north bank. The crew on the south shore has issues with two pine stumps rolling into the water. No wildlife was harmed or frightened; however, Mr. Petty talks to the crew about the importance of controlling cut material and ways to prevent stumps rolling into the shallows, particularly on steep slopes.

2:00 pm. The cutting of stumps on the south bank is largely completed. The crew on the south bank focuses on manually hauling previously-cut vegetation to staging areas in the southeast and southwest corners of the site.

2:20 pm. The cutting of previously-felled palms on the north side of the site is complete. The crew continues to remove the trunk of the palm along the northern fence (fronds were previously removed).

2:40 pm. A cutting crew begins to remove the large palm on the east bank.

2:45 pm. An osprey flies into the site from the south with a fish in its talons. It circles the Basin once before perching atop the same utility pole that it used yesterday. The osprey begins to feed on the fish. Mr. Petty alerts all five members of the cutting crews of the presence of the osprey. Work on the large palm on the east bank temporarily stops. However, the palm is cut more than halfway though and is in danger of falling. Mr. Petty asks cutter to start chainsaw and monitors the osprey's reaction. None is given and the osprey continues feeding. Since the activity is far from the osprey and the osprey exhibited no reaction to the chainsaw, it is decided to quickly take the palm down. Mr. Petty continues to monitor the osprey. The osprey continues feeding throughout the activity and not once looks in the direction of the cutting. This is likely due to the noise being drowned out by the traffic on Washington Blvd, which is much closer to the osprey than the tree removal.

3:05 pm. Mr. Petty decides that no further mechanized or motorized activity will occur on the north or east banks while the osprey is present. The plan to cut and haul the recently-felled palm on the east bank is scrapped. The Bobcat is moved from the pump station to the gate near the two large eucalyptus trees on the south bank along Admiralty Way. Crews use the sidewalk along Admiralty Way to move the Bobcat and to haul previously-cut material from the area to a staging pile in the southeast of the site. Cones are placed on the sidewalk to alert pedestrians to the activity and Bobcat crews drive slowly and cautiously.

3:55 pm. Cutting beings on the last standing palm on site, which is located in the southeast corner of the site. The osprey is still feeding on its fish atop the utility pole along the northern shoreline. Due to the distance between the osprey and the final palm, the osprey is not visible to the naked eye. However, Mr. Petty continues to monitor the osprey through binoculars. A final wildlife survey of the palm results in no observed wildlife or nests. During tree removal, three dark-eyed juncos fly into the large brush pile approximately 30 feet from the palm. Work is temporarily stopped until the juncos fly off towards the bike path.

4:10 pm. The final palm tree comes down. Cutting crews work to remove the majority of the fronds.

4:20 pm. Work completed for the day.

4:30 pm. Field crew and Biologist leave the site.

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1. As described previously, monarch butterflies were also observed. Another butterfly, the cloudless sulphur, was observed flying along the northern shoreline. An unidentified brown rodent was briefly glimpsed in the thick shoreline vegetation along the northeast shore. No other wildlife species were observed.

A single osprey was observed at the site. It flew in from the south, likely from the nearby marina, with a fish in its talons. It circled the Basin one time before perching atop the same utility pole that it used yesterday on the northern shoreline of the Basin. It continued to feed on the fish it caught for over 90 minutes, and was still perched atop the pole and feeding when work stopped for the day and the crew left the site.

No active bird nests were observed inside the project boundary.

Table 1 provides a list of bird species observed during biological monitoring on January 14, 2015.

Table 1. Bird Species Observed during Biological Monitoring on January 14, 2015

Common Name	Scientific Name	Comments
Gadwall	*Anas strepera*	10 individuals foraging in Basin
American Wigeon	*Anas americana*	25-30 individuals foraging in Basin
Mallard	*Anas platyrhynchos*	6 individuals foraging in Basin
Lesser Scaup	*Aythya affinis*	20-25 foraging throughout Basin
Great Egret	*Ardea alba*	2 individuals resting/foraging in Basin
Snowy Egret	*Egretta thula*	5 individuals resting/foraging in Basin
American Coot	*Fulica americana*	10-15 foraging throughout Basin
Gull	*Larus* sp.	Several flyovers; 2 landed in eastern portion of Basin
Anna's Hummingbird	*Calypte anna*	10 individuals observed around Basin
Black Phoebe	*Sayornis nigricans*	5-10 individuals foraging around Basin
American Crow	*Corvus brachyrhynchos*	Several observed in vegetation, on utility poles,

		and flying over Basin.
Yellow-rumped Warbler	*Setophaga coronata*	5-10 observed in eastern and southern portion of Basin
Dark-eyed Junco	*Junco hyemalis*	5-10 observed foraging in eastern portion of Basin.
Ruby-crowned Kinglet	*Regulus calendula*	2 observed in the eastern portion of Basin
House Finch	*Haemorhous mexicanus*	2 observed in vegetation in western portion of Basin
Rock Pigeon	*Columba livia*	Several observed flying over Basin, particularly in western portion.
Chipping Sparrow	*Spizella passerine*	2 individuals in the brush along northern shore of Basin
Mourning Dove	*Zenaida macroura*	Several observed, particularly on power lines in the northern and western portions of the basin
Belted Kingfisher	*Megaceryle alcyon*	2 individuals in the northeastern portion of the Basin
Eared Grebe	*Podiceps nigricollis*	3 individuals foraging throughout the Basin
Osprey	*Pandion haliaetus*	1 individual flew in from the south to the north shoreline and perched atop a power pole to feed
European Starling	*Sturnus vulgaris*	Several observed in the tall palms north of the site along Washington Blvd

Conclusions

Biological monitoring was conducted on January 14, 2015 during tree removal activities at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. No active nests were observed. Fewer species and a smaller number of individuals were observed when compared to the previous two work days. It could be that birds congregate in greater numbers in the Basin following weekends, when human activity is reduced.

2. Several monarchs were observed at the site. The number of monarchs observed on January 14 appeared to be greater than the number observed on the previous two days. This was likely due to higher temperatures and an increase in sunshine, which warm the butterflies resulting in increased activity. Monarchs continue to be primarily utilizing the Eucalyptus trees near the eastern end of the site, along the bike path. However, 1-2 monarchs per day are generally seen flying along the northern and western fences. There was no "take" of monarchs during tree cutting activities conducted at the site.

3. As noted previously, monarchs were again observed flying around and landing, often moving from tree to tree both inside and outside the fence. This indicates that the Eucalyptus trees outside the fence provide directly adjacent habitat for monarchs to that afforded by the 2 trees inside the fence.

4. Monarchs were not observed to be roosting in the large trees (Eucalyptus, ficus, and pine) on the south side of the Basin along Admiralty Way. Primary monarch roost trees are located on the east side of the bike path, outside of the project area.

5. After three days of general observations and monarch counts, it becomes apparent that monarchs tend to stay in roosts on the east side of the site until around 10:00 am. From 11:00-3:00, monarchs are at peak activity. While most monarch sightings occur in the eastern portions of the site, monarchs have been seen in all portions of the Basin. Around 4:00 pm, monarch activity declines, and the butterflies tend to return to the roost trees.

6. For the most part, tree cutting activities are not resulting in flee responses from nearby wildlife. Wildlife tend to slowly move away from an area when crews approach. They return to the area once the crews move on.

7. Despite recent rains, water quality and clarity in the basin was relatively high. While the implementation of E&S controls like fiber rolls play a role, it appears that the slopes of the Basin are stable and do not erode easily.

8. Small songbirds, especially black phoebe, dark-eyed junco, and yellow-rumped warbler frequently fly into areas with active cutting operations and they perch nearby or immediately fly out. This requires vigilance on the part of the biologist, cutting crews, and other monitors. Particular attention should be paid to brush piles of larger limbs. Crews tend to relax once the tree is down; however, songbirds on multiple occasions would fly into brush piles on the ground that were being actively cut or hauled. In these instances, work would stop immediately.

9. Osprey actively use the site for perching, resting, and feeding. When the osprey was observed on January 13 and 14, it brought a large fish in its talons. However, no large fish have been observed surfacing in the Basin and the osprey has spent little time (i.e. approximately three hours) on site over the last three days. Therefore, it is believed that this individual's primary hunting grounds and primary territory is located in suitable habitat elsewhere (possibly the nearby Ballona wetlands). Even with the removal of the majority of the large trees on site, the osprey has shown it will use utility poles and the remaining large pines.

10. As detailed in item #8 above, the biologist observed songbirds flying into brush piles associated with tree cutting, requiring the biologist to stop work immediately. The removal of trees from the Basin's banks has likely benefited ducks in the area. New grasses are rapidly colonizing the exposed banks and large numbers or ducks, especially American wigeon, have been observed foraging on the young grass shoots. Open habitats will also likely benefit foraging wading birds, which have clear banks from which to hunt small fish.

Memorandum

To: *Rick Sun, Los Angeles County Department of Public Works*

From: *Matt Petty, CDM Smith*

Date: *January 15, 2015*

Subject: *Daily Biological Monitoring for the Oxford Retention Basin Multiuse Enhancement Project*

Introduction

This memorandum summarizes the findings of biological monitoring on January 15, 2015. Monitoring is being conducted on a daily basis through completion of tree removal activities for the Oxford Retention Basin Multiuse Enhancement project. This monitoring is being conducted in compliance with the Streambed Alteration Agreement and Amendment issued by the California Department of Fish and Wildlife for the project.

Methods

Biological monitoring was conducted by Matt Petty, CDM Smith biologist on January 15, 2015, beginning at 7:30 am and ending at 5:15 p.m. During the monitoring, the biologist observed tree cutting and removal activities as they were conducted in the project area. Daily activities consisted of cutting several trees and manually hauling branches and cut material. The focus of the day's work consisted of cutting down the two remaining large eucalyptus trees along Admiralty Way. Work also consisted of cutting already felled trees into manageable pieces and hauling previously-cut debris from the southeast portion of the Basin.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:20 am. Biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey. Meet with Rick Sun in the parking lot to go over the plan for the day.

7:30 am. Biologist begins initial survey walking down the bike path. Six monarchs were observed roosting in trees along the bike path outside of the site. Additionally, four Anna's hummingbirds, two dark-eyed juncos, several yellow-rumped warblers, and one ruby-crowned kinglet were also observed in trees along the bike path outside of the site. Once inside the site, the Biologist walks around the periphery of the basin and documents all observed wildlife. A black phoebe was observed on the east fence, and three dark-eyed juncos were observed in the large brush pile in the

southeast corner of the site. Approximately 60 birds were observed on the water. The majority of these birds are along the north shore and in the western portion of the Basin. Species include American wigeon, American coot, gadwall, lesser scaup, eared grebe, and gulls. Gulls, rock pigeon, mourning dove, and American crow were also observed frequently flying over the Basin or perching on utility and light poles. The Biologist paid particular attention to the two large eucalyptus trees along Admiralty Way, as they are scheduled for removal today. During 20 minutes of observation, no wildlife is observed in either tree. It may be that the open canopies of these two large trees are now too exposed to provide birds with adequate shelter. Along the north fence, two Anna's hummingbirds, 5 house finches, and two willet were observed. A Townsend's warbler and two Anna's hummingbirds were observed on the south shore. Two chipping sparrows were observed on the west bank, and four white-crowned sparrows were observed near the pump station in the southeast corner of the site. Two monarchs were observed roosting in the two eucalyptus trees along the east fence near the pump station.

8:05 am. Three American crows fly in and land on the westernmost large eucalyptus tree along Admiralty Way. These crows are the first birds to be observed in either of the two large eucalyptus trees. By 8:10, all three have left the tree for a light post along Admiralty Way.

8:25 am. Two American crows land on the easternmost large eucalyptus tree along Admiralty Way. A flock of 11 additional American crows fly in soon after and land on the ground at the base of the tree. For the next 25 minutes, crows fly back and forth from the ground to the lower limbs of the tree.

8:30 am. Marcy (Diaz LS), Rick Sun, and Emerson (NC) arrive on-site. Mr. Petty goes over wildlife protection measures and work for the day, including the plan for removing the large two eucalyptus trees. All three sign the form that indicates they understand the wildlife protection measures.

8:45 am. Rick Sun informs Mr. Petty that on December 29, 2014, a claim was filed that a dead bird was found on-site. Mr. Petty has not observed any injured or dead birds on-site. Since no particular location or species for the dead bird was given, Mr. Petty cannot conduct an in-depth investigation. A great egret flies in and lands on the north shoreline.

9:00 am. The primary Diaz LS cutting crew of three arrives. They will be the only cutting crew on-site today. Mr. Petty goes over wildlife protection measures. He specifically speaks with Sergio, the primary tree cutter, on protocols for alerting him when he is in the canopy of the tall eucalyptus trees. All three cutting crew members indicated they understand the protection measures and sign the form.

9:30 am. Monarchs becoming active along the east fence. Two are flying near the large debris pile in the southeast corner of the site. In both English and Spanish, Mr. Petty reminds the two cutting crew members who are manually hauling debris to be on the lookout for monarchs and to stop work if one flies close to the pile. Both confirm they understand. The reminder was given largely

because Mr. Petty's focus will be on the active cutting of the two large eucalyptus trees. A single protester has made it inside the fence and is delaying the planned cutting of the trees.

9:50 am. Due to protest activity, the cutting crew turns their attention to manually removing the fronds of the large palm felled yesterday in the southeast corner of the site. A chainsaw is also used to cut the palm into more manageable pieces. Anna's hummingbirds and monarchs are located approximately 200 feet away from the activity and crews are alerted of their presence.

10:00 am. All fronds are removed from the southeast palm. Crew begins manually removing previously-cut material out from under the two large eucalyptus trees along Admiralty. They take the material to the large brush pile in the southeast corner of the site. The total monarch count at this point is five individuals with two flying on-site near the pump station. An Anna's hummingbird flies into the brush at the base of one of the large eucalyptus trees, but almost immediately flies off due to loud protester noise (i.e. yelling and honking horns) nearby. The loud protester noise is also slowly driving ducks to the north and west portions of the Basin, where they will remain for much of the day.

10:30 am. Cutting begins on the first, westernmost large eucalyptus tree along Admiralty. No wildlife is affected as the tree is cut limb by limb, largely because most wildlife had exited the area due to loud protester noise. Four American crows harass a red-tailed hawk in the southwest corner of the site, but the birds are far enough away that the tree cutting has no effect. The third large limb that falls lands partially in the water. While no wildlife was harmed or disturbed, Mr. Petty instructs cutting crew to attempt to fell limbs on land. They agree, and will only land limbs in the water to avoid putting protesters on Admiralty in harm's way.

10:45 am. Red-tailed hawk flies into active cutting area above the tree being removed. Mr. Petty immediately stops all work. The hawk perches on a high-rise on the other side of Admiralty Way directly above the tree being removed. At 10:47 am, a group of six rock pigeons harass the hawk and chase it to the west end of the Basin. Work remains stopped as Mr. Petty monitors the hawk. A monarch flies by the active cutting area while work is stopped. Once the hawk and monarch clear the area, work resumes at 10:53 am.

11:00 am. Hand removal by machete of the eucalyptus limbs that were recently felled on the south shore. At 11:10 am, a chainsaw is used to cut the largest limbs into manageable pieces.

11:20 am. Only work occurring is the hauling of previously-cut material by hand. Mr. Petty conducts a monarch survey and observes 9 individuals in the southeast corner of the site. Four monarchs are observed near the pump station, one is flying along the east fence, and four are flying amongst the trees along the bike path off-site.

11:55 am. A red-tailed hawk flies in and perches on the last remaining big eucalyptus tree along Admiralty Way. Moments later, it flies off over the east fence. Tree cutting is still stopped because

the chainsaw needs re-chained and Rick Sun is clearing protesters from potential hazard areas. Mourning cloak and cloudless sulfur butterflies are seen near the pump station.

12:10 pm. Tree cutting begins on the 25-foot trunk of a previously-felled eucalyptus. The trunk is located a few feet east of the last remaining large eucalyptus tree. A protester begins using a whistle that could accidentally bring birds in due to similarity to bird calls. At 12:15 pm, the trunk falls, but lands atop other previously-cut logs and rolls down the slope and into the water of the southeast channel. Despite a minor splash, the activity does not affect wildlife because none is in the area. The cutting crew begins cutting the previously-cut logs on the south bank into smaller pieces for removal.

12:25 pm. The cutting crew moves the Bobcat from the southeast corner to the track along the east fence. Crews move the Bobcat into position along the east bank of the channel to pull out the semi-submerged tree trunk. Mr. Petty informs the crew that fiber wattles will need to be installed in the area following extraction of the trunk. Trunk removal activities generate some sediment and wood chip inputs into the channel, but are trapped behind the Sea Curtain floating boom.

12:40 pm. Due to the ineffectiveness of the Bobcat alone, the crew begins removing the semi-submerged tree trunk by cutting it into smaller, 5-foot segments with a chainsaw and hoisting the segments onto the bank with the Bobcat.

12:55 pm. A double-crested cormorant swims under the floating boom and hops onto the semi-submerged tree trunk. Mr. Petty stops work as soon as the cormorant enters the area and the bird is not harmed or disturbed. The cormorant swims to the southeastern extent of the channel and bathes for a few minutes before taking off and flying back by the trunk-extraction area. Work is allowed to resume once the cormorant flies over the east fence and off-site.

1:05 pm. An arborist arrives and meets with Rick Sun. Mr. Petty continues to monitor the removal of the tree trunk from the channel.

1:55 pm. The last 5-foot segment of the semi-submerged tree trunk is removed from the channel. The smallest segments are taken to a staging pile at the top of the eastern slope. The largest segments remain on the lower terraces of the eastern slope. At 2:15, the crew takes lunch.

2:30 pm. Mr. Petty conducts another biological survey of the two large eucalyptus trees along Admiralty Way in preparation for cutting to resume following lunch. The trees are observed for 25 minutes and no wildlife activity is observed. A general observation is made that the water level in the Basin appears much lower than on previous days, and floating algae is present in some of the shallows.

2:55 pm. Fiber wattles are installed along the eastern slope. Mr. Petty and Mr. Sun oversee the wattle installation. Wattle will help prevent sediment runoff from scoured area created by Bobcat and extracting the large tree trunk from the channel.

3:35 pm. Cutting resumes on the westernmost large eucalyptus tree along Admiralty Way. Two mourning doves fly past the cutting activity but are far enough away that their flight paths are not altered. At 3:50 pm, all limbs have been removed and only a 20-foot trunk remains. No wildlife was disturbed during tree removal.

3:45 pm. Work is temporarily stopped because a protestor jumps the fence and moves into the active cutting area. Mr. Petty alerts Mr. Sun who has the police remove the protester.

4:05 pm. Cutting begins on the last remaining large eucalyptus tree along Admiralty Way. The tree is taken down limb by limb beginning with the crown of the tree. Gulls fly by, but are located behind the high-rises on the other side of Admiralty Way. Due to the distance between the gulls and the tree removal, the gulls do not exhibit altered behavior. No wildlife is disturbed during cutting activities or when the limbs fall.

4:40 pm. Work is temporarily stopped to speak with two officers of California Fish and Wildlife. They arrive in response to a call from one of the protesters. Mr. Petty speaks with the officers, and they all exchange business cards. Mr. Petty confirms that he and Jennifer Jones surveyed the site and no nests or cavities were found on either of the two eucalyptus trees. The officers confirm that activities comply with permits and approve of biomonitoring actions.

4:45 pm. Tree cutting of the last remaining large eucalyptus tree resumes. During a pause in the cutting when the cutter was shifting positions, four gulls fly over the tree at a considerable height. No other wildlife comes within the vicinity of the tree, and no wildlife is harmed or disturbed during cutting activities.

5:05 pm. Work completed for the day. A 50-foot trunk section of the last remaining large eucalyptus tree remains.

5:15 pm. Field crew and Biologist leave the site.

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1. As described previously, monarch butterflies were also observed. Two additional butterflies, a cloudless sulphur and a mourning cloak, were observed flying along the eastern fence near the pump station. No other wildlife species were observed.

Unlike the two previous days, no osprey were observed at the site.

No active bird nests were observed inside the project boundary.

Due to loud, protester-related noise coming from along Admiralty Way and the concentration of work in the southeastern corner of the site, the majority of waterfowl and wading birds spent the day in the central and eastern portions of the Basin.

Table 1 provides a list of bird species observed during biological monitoring on January 14, 2015.

Table 1. Bird Species Observed during Biological Monitoring on January 14, 2015

Common Name	Scientific Name	Comments
Gadwall	*Anas strepera*	10 individuals foraging in Basin
American Wigeon	*Anas americana*	25-30 individuals foraging in Basin
Lesser Scaup	*Aythya affinis*	15-20 foraging throughout Basin
Great Egret	*Ardea alba*	2 individuals resting/foraging in Basin
Snowy Egret	*Egretta thula*	1 individual resting/foraging in Basin
American Coot	*Fulica americana*	10-15 foraging throughout Basin
Gull	*Larus* sp.	Several flyovers; 2 landed in eastern portion of Basin
Anna's Hummingbird	*Calypte anna*	8 individuals observed around Basin
Black Phoebe	*Sayornis nigricans*	3 individuals foraging around Basin
American Crow	*Corvus brachyrhynchos*	Several observed in vegetation, on utility poles, and flying over Basin.
Yellow-rumped Warbler	*Setophaga coronata*	5-10 observed in eastern and southern portion of Basin
Dark-eyed Junco	*Junco hyemalis*	5-10 observed foraging in eastern portion of Basin.
Ruby-crowned Kinglet	*Regulus calendula*	1 observed in the eastern portion of Basin
House Finch	*Haemorhous mexicanus*	7 observed in vegetation in the northern and western portions of Basin
Townsend's Warbler	*Setophaga townsendi*	1 observed in pines along south shore
Rock Pigeon	*Columba livia*	Several observed flying over Basin, particularly in western portion and around high-rises south of Admiralty Way
Chipping Sparrow	*Spizella passerine*	2 individuals in the brush along western shore of Basin
White-crowned sparrow	*Zonotrichia leucophrys*	4 individuals observed near pump station in southeast corner of the Basin
Mourning Dove	*Zenaida macroura*	Several observed, particularly on power lines in the northern and western portions of the basin
Belted Kingfisher	*Megaceryle alcyon*	1 individual in the northeastern portion of the Basin
Eared Grebe	*Podiceps nigricollis*	6 individuals foraging throughout the Basin
Double-crested Cormorant	*Phalacrocorax auritus*	1 individual in the southeast portion of the Basin
Red-tailed Hawk	*Buteo jamaicensis*	2 individuals flying in from the southwest and soaring above the south shoreline
Willet	*Tringa semipalmata*	2 individuals along the northwest shoreline
European Starling	*Sturnus vulgaris*	Several observed in the tall palms north of the

		site along Washington Blvd

Conclusions

Biological monitoring was conducted on January 15, 2015, during tree removal activities at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. No active nests were observed. Fewer species and a smaller number of individuals were observed when compared to the previous two work days. This was likely due to limited observation of the entire Basin since the Biologist had to focus on preventing disturbance and harm to wildlife from activities in the southeastern corner of the site.

2. Several monarchs were observed at the site. The number of monarchs observed on January 15 appeared to be similar in number to that observed on previous days. This was likely due to continued high temperatures and sunshine, which warm the butterflies and results in increased activity. Monarchs continue to be primarily utilizing the Eucalyptus trees near the eastern end of the site, along the bike path. However, 1-2 monarchs per day are generally seen flying along the northern and western fences. There was no "take" of monarchs during tree cutting activities conducted at the site.

3. As noted previously, monarchs were again observed flying around and landing, often moving from tree to tree both inside and outside the fence. This indicates that the Eucalyptus trees outside the fence provide directly adjacent habitat for monarchs to that afforded by the 2 trees inside the fence.

4. Monarchs were not observed to be roosting in the large trees (Eucalyptus, ficus, and pine) on the south side of the Basin along Admiralty Way. Primary monarch roost trees are located on the east side of the bike path, outside of the project area.

5. After three days of general observations and monarch counts, it becomes apparent that monarchs tend to stay in roosts on the east side of the site until around 10:00 am. From 11:00-3:00, monarchs are at peak activity. While most monarch sightings occur in the eastern portions of the site, monarchs have been seen in all portions of the Basin. Around 4:00 pm, monarch activity declines, and the butterflies tend to return to the roost trees.

6. For the most part, tree cutting activities are not resulting in flee responses from nearby wildlife. Wildlife tend to slowly move away from an area when crews approach. They return to the area once the crews move on. With continuous work and extremely loud protester activity located in the southeast portion of the Basin, most waterfowl and wading birds stayed in the central and eastern portions of the Basin.

7. Despite recent rains, water quality and clarity in the basin was relatively high. While the implementation of E&S controls like fiber rolls play a role, it appears that the slopes of the Basin

are stable and do not erode easily. However, noticeable quantities of floating algae were observed for the first time.

8. Small songbirds, especially black phoebe, dark-eyed junco, and yellow-rumped warbler frequently fly into areas with active cutting operations and they perch nearby or immediately fly out. This requires vigilance on the part of the biologist, cutting crews, and other monitors. Particular attention should be paid to brush piles of larger limbs. Crews tend to relax once the tree is down; however, songbirds on multiple occasions would fly into brush piles on the ground that were being actively cut or hauled. In these instances, work would stop immediately.

9. New grasses are rapidly colonizing the exposed banks and large numbers or ducks, especially American wigeon, have been observed foraging on the young grass shoots. Open habitats will also likely benefit foraging wading birds, which have clear banks from which to hunt small fish.

Memorandum

To: *Rick Sun, Los Angeles County Department of Public Works*

From: *Matt Petty, CDM Smith*

Date: *January 16, 2015*

Subject: *Daily Biological Monitoring for the Oxford Retention Basin Multiuse Enhancement Project*

Introduction

This memorandum summarizes the findings of biological monitoring on January 16, 2015. Monitoring is being conducted on a daily basis through completion of tree removal activities for the Oxford Retention Basin Multiuse Enhancement project. This monitoring is being conducted in compliance with the Streambed Alteration Agreement and Amendment issued by the California Department of Fish and Wildlife for the project.

Methods

Biological monitoring was conducted by Matt Petty, CDM Smith biologist on January 16, 2015, beginning at 7:30 am and ending at 4:30 p.m. During the monitoring, the biologist observed tree cutting and removal activities as they were conducted in the project area. Daily activities consisted of cutting several previously-felled trees into manageable sections and manually hauling branches and cut material. The focus of the day's work consisted of cutting down the two remaining trunks of the large eucalyptus trees along Admiralty Way that were partially removed yesterday.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:20 am. Biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey.

7:30 am. Biologist and a tree cutting crew of four arrive on-site. The Biologist goes over wildlife protection measures and has each of the crew members sign the sign-in sheet. Crews begin manually hauling previously-cut material from the south shore to the staging pile in the southeast corner of the site. The crew chainsaws larger limbs to small, more manageable sizes.

7:45 am. The Biologist begins the initial biological survey of the site. Two Anna's hummingbirds, one Allen's hummingbird, and two black phoebes are observed along the east fence. No monarchs

are observed roosting in the two eucalyptus trees near the pump station; however, four monarchs are observed roosting in the trees along the bike path off-site. Three American crows are observed in the northeast of the site on utility poles, and frequent gull and rock pigeon flyovers are witnessed. A total of 76 birds are observed on the water, with species including eared grebe, lesser scaup, American wigeon, gadwall, and American coot. A flock of 23 American wigeon are foraging on new grasses on the east bank.

7:55 am. The Biologist and Marcy Diaz meet with John from the Department of Beaches and Harbors. He spoke with Emerson Herrera (NC) yesterday and was given permission to haul out some eucalyptus logs for personal use. The Biologist and Marcy Diaz go over wildlife protection and safety measures involved with being on-site. John indicates he will come back later in the day to haul out the logs. The Biologist resumes the biological survey and focuses on the south and west banks. In addition to the duck species on the water mentioned earlier, observed species include dark-eyed junco, rock pigeon, Anna's hummingbird, yellow-rumped warbler, house finch, willet, mallard, mourning dove, and European starling. A single monarch was observed roosting in the large pine in the northeast corner of the site.

9:00 am. The primary tree cutter and an additional crew member arrive. The Biologist goes over the wildlife protection measures and has both sign the sign-in sheet. Crews work to remove eucalyptus limbs that were cut yesterday and hang out over the water of the southeast channel. No wildlife is located in the immediate vicinity and ducks located approximately 200 feet north of the activity exhibit unaltered behavior. A double-crested cormorant flies in and lands approximately 500 feet from the activity but is undisturbed. An osprey flies in from the south with a fish in its talons. It proceeds immediately to the utility pole along the north shoreline it consistently feeds atop. The Biologist monitors the osprey behavior, and it feeds without any acknowledgment of the activities occurring on the opposite bank roughly 600 feet away. Work is allowed to continue.

9:15 am. The osprey takes off from its perch atop the utility pole along the north shore and circles the central Basin twice. While circling the Basin, the osprey makes two shallow dives and drags its talons through the water. This is determined to be cleaning behavior as it lacks the steep angle of a fishing dive and the osprey drags its talons through the water for 10-15 feet before lifting off. All work on-site is stopped while the osprey moves about the Basin. The osprey flies to the 50-foot standing trunk of the previously-cut large eucalyptus tree along Admiralty Way, with suspended work crews located at the base of the trunk. After a few moments, the osprey gives out a call and takes off flying southwest along the fence that parallels Admiralty Way. It then flies southwest and off-site.

9:25 am. After a brief break to ensure the osprey was not returning to the site, work resumes clearing previously-cut material out from under the two standing large eucalyptus trunks.

9:40 am. Tree cutting crews begin removing the 50-foot standing eucalyptus trunk along Admiralty Way. The Biologist monitors the activity through completion and observes no wildlife in the

vicinity. The closest wildlife are four gadwall foraging approximately 300 feet away. The trunk is taken down in 5-foot sections, which are roped for safety purposes. Through binoculars, the Biologist observes black phoebes and Anna's hummingbirds along the east fence and rock pigeons flying amongst the high rises to the south of the site. A snowy egret and a great blue heron are present along the southwestern shoreline, and white-crowned sparrows are present in the southeast corner of the site.

10:30 am. Cutting of the 50-foot section of eucalyptus trunk temporarily stops as crews remove previously-cut debris nearby. A 20-foot section of the trunk still remains standing.

10:45 am. Cutting of the remaining 20-foot section of the large eucalyptus trunk resumes. It is completely removed five minutes later. As the Biologist monitors the activity, he observes a cloudless sulfur butterfly in the southeast corner of the site. A flock of six cedar waxwings are also observed flying along the north shoreline, and a belted kingfisher perches on a powerline in the northeast corner of the site.

11:20 am. The cutting crew takes a break to maintain equipment. The Biologist uses this break to survey the north and east shorelines. Black phoebe, yellow-rumped warbler, Anna's hummingbird, gadwall, lesser scaup, and belted kingfisher are observed.

11:40 am. The removal of the second, and last, large eucalyptus trunk along Admiralty Way begins. This trunk is far smaller than the one removed earlier (approx. 20 feet tall), and comes down after roughly five minutes. No wildlife was observed in the vicinity or was disturbed during trunk removal. Once the trunk has been felled, the Biologist photo-documents the stormwater BMPs on-site. Pre-cut material continues to be manually removed from the south shoreline.

12:00 pm. The cutting crew takes a lunch break. The Biologist uses this break to survey the south and west shorelines. Observed species include American wigeon, lesser scaup, American coot, gadwall, eared grebe, bufflehead, willet, belted kingfisher, gulls, American crow, house finch, Anna's hummingbird, orange-crowned warbler, and yellow-rumped warbler. Due to the time of day, most individuals were resting in pine trees, perched on utility poles, or resting/foraging on the water. Low tide reveals some attached algae in the southeast channel.

12:40 pm. Tree cutting crews return from lunch and begin cutting large, previously-felled eucalyptus limbs from the southeastern shore into manageable pieces that are manually hauled to the southeast staging pile. Cutting also includes removing the last 3-feet of the two large eucalyptus trunks and cutting the stumps as flush with the ground as possible.

1:00 pm. One two-man cutting crew begins removing the fronds from the previously-felled large palm on the east bank. Once fronds are removed, the trunk is cut into more manageable pieces. A black phoebe and an Anna's hummingbird watch the activity from the east fence approximately 75 feet away, but never venture into the active cutting area or appear to exhibit altered behavior.

Water levels at the Basin during low tide are the lowest they have been all week and exposes wide mudflats. The wind has also picked up and has affected the ability of monarchs to fly.

1:30 pm. Due to sustained winds, the final monarch observation of the day occurs at 1:30 pm. The total monarch count is 19, with 12 of those monarchs observed on-site. Of the 12 monarchs observed on-site, 3 were observed along the east fence, 3 near the pump station, 1 along the south fence, 1 in the northeast corner pine tree, and four in the southeast corner near the staging pile. Of the 7 monarchs observed off-site, 6 were along the bike path and one was flying near the high rises across Admiralty Way.

1:40 pm. One cutting crew begins removing the fronds of previously-felled palms along the north shore. They also begin to cut previously-felled palm trunks into manageable pieces and cut palm stumps flush with the ground. With removal activities occurring on both the north and south shore, most ducks have moved to the center of the Basin. However, they continue to forage, squabble, and rest as expected and do not appear disturbed by human activities. A snowy egret is inside the box culvert that runs under Washington Blvd, approximately 50 feet from activities on the north shore. The egret was in the culvert when work began, and it continued to preen and stalk the shallows within the culvert as work progressed. Therefore, it was determined that the egret was not disturbed or stressed and work was allowed to continue.

2:00 pm. One cutting crew begins moving east to west along the south shore cutting stumps flush with the ground and manually hauling pre-cut debris. One crew member moves previously-cut palms from the west shore to the southwest staging pile. The final cutting crew is continuing to reduce the size of previously-cut palms on the north shore. The Biologist rotates among the crews and monitors the others through binoculars. No wildlife is harmed or disturbed.

3:00 pm. Work stops along the north shore but continues along the south and west shores. Work on the south shore includes cutting the last of the large eucalyptus logs down to a manageable size. The Biologist stops work on the south shore briefly as a snowy egret flies by. The egret lands on the northeast shoreline and work is allowed to resume. The Biologist documents 97 birds on the water with species including American wigeon, lesser scaup, mallard, gadwall, American coot, and eared grebe.

3:30 pm. A two-man cutting crew joins the one crew member on the west shore and begins to cut pre-felled palm trunks into smaller segments for manual removal. A group of house finches hop around in the grape vines along the west fence approximately 50 feet from work activities. The finches do not enter the active work area and do not exhibit altered behavior.

4:00 pm. Work is completed for the day.

4:30 pm. Field crew and Biologist leave the site. The Biologist leaves the parking pass and gate keys in the metal clipboard for the bio monitor coming next week, Murray Wade (CDM Smith). Since Rick

Sun will not be on-site next Monday, the Biologist asks Marcy Diaz to meet Murray Wade on-site Monday morning at 7:30 am.

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1. As described previously, monarch butterflies were also observed. An additional butterfly, a cloudless sulfur, was observed flying along the eastern fence near the pump station. No other wildlife species were observed.

A single osprey was observed on-site. As has happened on previous days this week, the osprey flew in from the south with a fish and perched atop a utility pole on the north shore of the Basin to feed. After approximately 15 minutes, the osprey took off and made a loop around the central and eastern portions of the basin, dragging its legs through the water on two occasions on shallow dives. All work was stopped as soon as the osprey took flight. It perched for a brief moment on the top of the 50-foot trunk that was left standing after yesterday's removal of most of the large eucalyptus on the southeastern shore. The osprey then let out a call and took flight, soaring over the southern fence and towards the marina to the south. The osprey spent approximately 20 minutes total on-site.

No active bird nests were observed inside the project boundary.

Table 1 provides a list of bird species observed during biological monitoring on January 16, 2015.

Table 1. Bird Species Observed during Biological Monitoring on January 16, 2015

Common Name	Scientific Name	Comments
Gadwall	*Anas strepera*	15 individuals foraging in Basin
American Wigeon	*Anas americana*	20-25 individuals foraging in Basin
Lesser Scaup	*Aythya affinis*	20-25 foraging throughout Basin
Bufflehead	*Bucephala albeola*	1 individual foraging in western portion of Basin
Mallard	*Anas platyrhynchos*	2 individuals foraging along northern shore
Snowy Egret	*Egretta thula*	3 individuals resting/foraging in Basin
Great Blue Heron	*Ardea herodias*	1 individual in the northwest of the Basin
American Coot	*Fulica americana*	15-20 foraging throughout Basin
Gull	*Larus* sp.	Several flyovers; 4 landed in eastern and central portions of Basin
Anna's Hummingbird	*Calypte anna*	12 individuals observed around Basin
Allen's Hummingbird	*Selasphorus sasin*	1 individual foraging at eastern portion of Basin
Black Phoebe	*Sayornis nigricans*	6 individuals foraging around Basin
American Crow	*Corvus brachyrhynchos*	Several observed in vegetation, on utility poles, and flying over Basin.
Yellow-rumped Warbler	*Setophaga coronata*	5-10 observed in eastern and southern portion of Basin
Orange-crowned warbler	*Vermivora celata*	2 observed in eastern portion of Basin
Dark-eyed Junco	*Junco hyemalis*	5-10 observed foraging in eastern portion of Basin.
House Finch	*Haemorhous mexicanus*	5-10 observed in vegetation in the northern and

		western portions of Basin
Rock Pigeon	*Columba livia*	Several observed flying over Basin, particularly in western portion and around high-rises south of Admiralty Way
White-crowned sparrow	*Zonotrichia leucophrys*	2 individuals observed near pump station in southeast corner of the Basin
Mourning Dove	*Zenaida macroura*	Several observed, particularly on power lines in the northern and western portions of the basin
Belted Kingfisher	*Megaceryle alcyon*	2 individuals observed in northern and eastern portions of the Basin
Eared Grebe	*Podiceps nigricollis*	4 individuals foraging throughout the Basin
Double-crested Cormorant	*Phalacrocorax auritus*	1 individual in the northeast portion of the Basin
Osprey	*Pandion haliaetus*	1 individual in the northeast and southeast portions of the Basin
Willet	*Tringa semipalmata*	2 individuals along the northern shoreline
Cedar Waxwing	*Bombycilla cedrorum*	6 individuals flying along northern fence
European Starling	*Sturnus vulgaris*	Several observed in the tall palms north of the site along Washington Blvd

Conclusions

Biological monitoring was conducted on January 16, 2015, during tree removal activities at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. No active nests were observed. As the Basin transitions from a closed canopy to an open system, a larger number of ducks, wading birds, and shorebirds are being observed and a smaller number of songbirds are being observed. The greatest songbird density is located near the bike path along the eastern fence of the site.

2. Several monarchs were observed at the site. The number of monarchs observed on January 16 appeared to be similar in number to that observed on previous days. This was likely due to continued high temperatures and sunshine, which warm the butterflies and results in increased activity. Monarchs continue to be primarily utilizing the Eucalyptus trees near the eastern end of the site, along the bike path. However, 1-2 monarchs per day are generally seen flying along the northern and western fences. There was no "take" of monarchs during tree cutting activities conducted at the site.

3. As noted previously, monarchs were again observed flying around and landing, often moving from tree to tree both inside and outside the fence. This indicates that the Eucalyptus trees outside the fence provide directly adjacent habitat for monarchs to that afforded by the 2 trees inside the fence.

4. Monarchs were not observed to be roosting in the large trees (Eucalyptus, ficus, and pine) on the south side of the Basin along Admiralty Way. Primary monarch roost trees are located on the east side of the bike path, outside of the project area.

5. After three days of general observations and monarch counts, it becomes apparent that monarchs tend to stay in roosts on the east side of the site until around 10:00 am. From 11:00-3:00, monarchs are at peak activity. While most monarch sightings occur in the eastern portions of the site, monarchs have been seen in all portions of the Basin. Around 4:00 pm, monarch activity declines, and the butterflies tend to return to the roost trees. On January 16, no monarchs were observed after 1:30 pm due to a consistent wind that prevented the butterflies from taking flight.

6. For the most part, tree cutting activities are not resulting in flee responses from nearby wildlife. Wildlife tend to slowly move away from an area when crews approach. They return to the area once the crews move on.

7. Despite the removal of most of the trees on-site, water quality and clarity in the basin was relatively high. While the implementation of E&S controls like fiber rolls play a role, it appears that the slopes of the Basin are stable and do not erode easily. The dense floating algae observed yesterday was not observed today. A very strong low tide exposed more mudflats than in previous days, and also confirmed that significant attached algae is present along the bottom of the Basin.

8. Small songbirds, especially black phoebe, dark-eyed junco, and yellow-rumped warbler frequently fly into areas with active cutting operations and they perch nearby or immediately fly out. This requires vigilance on the part of the biologist, cutting crews, and other monitors. Particular attention should be paid to brush piles of larger limbs. Crews tend to relax once the tree is down; however, songbirds on multiple occasions would fly into brush piles on the ground that were being actively cut or hauled. In these instances, work would stop immediately.

9. New grasses are rapidly colonizing the exposed banks and large numbers or ducks, especially American wigeon, have been observed foraging on the young grass shoots. Open habitats will also likely benefit foraging wading birds, which have clear banks from which to hunt small fish.

10. This week, the osprey was observed on 3 of 5 days. In each case, the osprey flew in from the south with a previously-caught fish in its talons. It consistently perched atop a utility pole along the north shoreline to feed. Given the markings on the individual and the consistency of its behaviors, it is assumed all osprey observations were of the same individual. The osprey was never observed fishing within the Basin and always entered the site with a previously-caught fish. Therefore, it is concluded that the osprey's primary foraging habitat is located elsewhere, likely to the south. Additionally, the osprey spent less than five hours total on-site over the five days. This suggests that while the Basin is a component of the osprey's territory, its primary habitat is located elsewhere and likely includes the Ballona wetlands to the southeast.